



Docket No. AN-7075-A

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER THREE PRIOR PATENTS**

In re Application of: John Semen

Application No.: 09/528,675

Filed: March 20, 2000

For: Sterically Hindered Phenol Antioxidant Granules Having a Balanced Hardness

The owner\*, **ALBEMARLE CORPORATION**, of **100** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of first prior Patent No. **6,056,898**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the first prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the first prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The owner\*, **ALBEMARLE CORPORATION**, of **100** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of second prior Patent No. **6,126,862**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the second prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the second prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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The owner\*, **ALBEMARLE CORPORATION**, of **100** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of third prior Patent No. **6,126,863**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the third prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the third prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1.  For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 or Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2.  The undersigned is an attorney or agent of record.

3. Owner/applicant is  Small entity  Large entity

The terminal disclaimer fee under 37 CFR 1.20(d) is **\$110.00** and is to be paid as follows:

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 01-0659 (Order No.04-007). A duplicate copy of this sheet is enclosed.

PTO suggested wording for terminal disclaimer was

- unchanged.  changed (if changed, an explanation should be supplied.)

The form has been changed so that the Terminal Disclaimer is with respect to three prior patents. Thus, the standard wording in the first two paragraphs of this form have been repeated two more times so that the first pair of paragraphs refers to a first prior patent; the second pair of paragraphs refers to a second prior patent; and the third pair of paragraphs refers to a third prior patent.

Signature

Feb. 7, 2004

Edgar E. Spielman, Jr. Reg. No. 25,929  
Typed or printed name

225/388-7604  
Telephone Number

- Terminal disclaimer fee under 37 CFR 1.20(d) included.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.



Docket No. AN-7075-A

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PENDING SECOND APPLICATION**

In re Application of: John Semen

Application No.: 09/792,087

Filed: February 23, 2001

For: Granular Polymer Additives and Their Preparation

The owner\*, **ALBEMARLE CORPORATION**, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 09/792,087, filed on February 23, 2001, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1.  For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 or Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2.  The undersigned is an attorney or agent of record.

3. Owner/applicant is  Small entity  Large entity

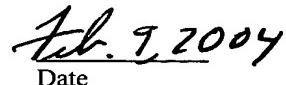
The terminal disclaimer fee under 37 CFR 1.20(d) is \$110.00 and is to be paid as follows:

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 01-0659 (Order No. 04-006). A duplicate copy of this sheet is enclosed.

PTO suggested wording for terminal disclaimer was

unchanged.  changed (if changed, an explanation should be supplied.)

  
Signature

  
Date

Edgar E. Spielman, Jr.  
Typed or printed name

Reg. No. 25,929

225/388-7604  
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- Terminal disclaimer fee under 37 CFR 1.20(d) included.

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